



U.S. Department of Justice

*United States Attorney
Southern District of New York*

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

November 30, 2015

By ECF & Facsimile

Honorable John G. Koeltl
United States District Judge
Southern District of New York
Fax: 212-805-7912

**Re: United States v. Yankel Rosenthal Coello,
S2 13 Cr. 413 (JGK)**

Dear Judge Koeltl:

The Government respectfully submits this letter setting forth a joint proposal by the parties of a set of conditions pursuant to which the defendant could be released pending trial pursuant to Title 18, United States Code, Sections 3142(a)(2), 3142(c), and 3142(h).

The defendant is charged in Superseding Indictment S2 13 Cr. 413 (JGK) with one count of conspiracy to commit money laundering, in violation of Title 18, United States Code, Section 1956(h). On October 6, 2015, the defendant was arrested at Miami International Airport. He was subsequently presented in the Southern District of Florida and arrived in this District on October 27, 2015. On October 28, 2015, the defendant was presented and arraigned in this District, pursuant to Your Honor's referral, before the Honorable James C. Francis IV, Magistrate Judge. With the consent of the defendant, Judge Francis ordered that the defendant be detained without prejudice to his ability to apply for conditions of release at a later date. There is currently no lawful basis for the defendant's presence in the United States.

In evaluating whether pretrial release is appropriate under the Bail Reform Act, the Government's principal concern is the flight risk posed by the defendant. However, the parties agree that, under the circumstances currently faced by the defendant, his continued appearance can be reasonably assured after all of the following conditions are satisfied:

- The defendant shall execute a \$5 million personal recognizance bond (the "Bond").
- The Bond shall be co-signed by seven individuals approved by the Government.

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- The Bond shall be secured by the residence at [REDACTED] Aventura, FL [REDACTED].¹
- The defendant shall be subject to home detention at [REDACTED] New York, NY [REDACTED], with exceptions for legal, medical, and religious appointments approved in advance by the Pretrial Services Office of the Southern District of New York ("Pretrial Services").
- All travel documents (including passports) issued to the defendant and two co-signers on the Bond, who shall be approved by the Government and reside in the United States, shall be surrendered to Pretrial Services. The Government will consider and not unreasonably oppose any requests by the co-signers to the Court and Pretrial Services for: (i) permission to travel internationally for family visits or other appropriate reason, and (ii) the temporary return to the co-signers of travel documents as necessary to accomplish travel approved by the Court and Pretrial Services.
- The defendant shall obtain deferred action status or some other form of immigration relief from the Department of Homeland Security that will allow him to reside in the United States.
- The defendant shall provide an inventory, sworn to under penalty of perjury, setting forth: (1) all assets of himself and immediate family members (parents, spouse, children, siblings) valued at \$5,000 or more as of October 6, 2015; (2) any assets transferred or encumbered by the defendant and his immediate family members since October 6, 2014; and (3) the legal status of each asset (blocked or unblocked, seized or unseized).
- The defendant shall inform the United States Attorney's Office for the Southern District of New York of any change to the financial condition of himself or his immediate family within two days of becoming aware of the change, or three days prior to any defendant-initiated change, including the transfer or receipt of any interests worth \$10,000 or more in any one-month period or the unblocking or release of any asset.
- The defendant agrees that in the event of a change in the financial condition of the defendant or his immediate family (including receipt of any interests worth \$10,000 or more in any one-month period or the unblocking or release of any asset), the Government may seek a modification of his bail conditions, including

¹ The defendant has provided the Government with an appraisal of this property, dated November 16, 2015, opining that the property is worth approximately \$730,000.

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but not limited to: (1) increasing the amount of the Bond; (2) increasing the amount of security; (3) requiring additional co-signers (including financially responsible co-signers); (4) requiring repatriation of assets to the United States; (5) the imposition of restraints on the ability of the defendant or members of his immediate family to transfer, sell, assign, alienate, encumber, or otherwise deal in assets; or (6) a monitorship.

The parties respectfully request that the Court enter an Order, pursuant to Title 18, United States Code, Sections 3142(a)(2), 3142(c), and 3142(h), authorizing the pretrial release of the defendant upon the satisfaction of all of the above-stated conditions.

Pursuant to Federal Rule of Criminal Procedure 49.1(a), the Government has redacted portions of the two above-referenced home addresses in the version of this letter filed on ECF.

Respectfully submitted,

PREET BHARARA
United States Attorney

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